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A TREATISE ON THE LAW OF JUDGMENTS, including the Doctrine of *Res Judicata*. By Henry Campbell Black. Second edition. St. Paul: West Publishing Company. San Francisco: Bancroft-Whitney Co. 1902. 2 vols. pp. ccii, 1-754; xvii, 755-1592. 8vo.

The first edition of this excellent work, published in 1891, was reviewed in 5 HARV. L. REV. at p. 43. Believing, as is stated in the preface, that the cardinal principles of the law of judgments have remained substantially unchanged, the author has retained in the second edition most of the chapter and section titles of the first. A number of sections, however, have been rewritten, and seven thousand new decisions have been added to the citations. As a result of these additions, the present revision comes out some four hundred and fifty pages larger than the original work.

Although the author aims primarily to state the law as it is rather than as it should be, he does not fail in his analysis of the subject to indicate that certain doctrines, though established, constitute departures from general rules. An example of this is the treatment of the question as to the right to attack collaterally a grant of administration upon the estate of a person not in fact dead. By the weight of authority collateral attack is in such a case allowed. *Mutual Benefit Life Ins. Co. v. Tisdale*, 91 U. S. 238. This, the author points out, is an "exception to the rule of conclusiveness attaching to the decree of a probate court appointing an administrator." It would seem, however, that the recent case of *Hilton v. Guyot* merits more attention than a mere statement of the point it decides. *Hilton v. Guyot*, 159 U. S. 113. That case holds that a foreign judgment will not be regarded as conclusive unless the country where it was obtained accords a similar force to an American judgment. This view, however, disregards the fundamental conception that the enforcement of a foreign judgment depends upon and is required by principles of the common law, which cannot be affected by the action of a foreign government. *The Nereide*, 9 Cranch (U. S. Sup. Ct.) 388, 422; see also DICEY, CONFL. LAWS, 10. Retaliation "is for the consideration of the government, not of its courts." *Per* Marshall, C. J., in *The Nereide*, *supra*.

Of the other important American treatises dealing with the general subject of judgments, none has appeared since Van Fleet on Former Adjudications, which was published in 1895. The publication of a work which gives access to the many cases decided since that date would for this reason alone seem timely.

CASES ON INTERNATIONAL LAW, selected from Decisions of English and American Courts. Based on Snow's Cases and Opinions on International Law. Edited with Syllabus and Annotations. By James Brown Scott, Dean of the College of Law, University of Illinois. Boston: The Boston Book Company. 1902. pp. lxxvii, 961. 8vo.

In 1893, Dr. Freeman Snow, then instructor in International Law in Harvard College, published for the use of his class a collection of cases. The distinctive feature of the collection was the valuable analytic syllabus of the subject with numerous references to treatises, which Dr. Snow included in his volume. The book, though ostensibly covering the entire field, did not, however, contain all even of the leading cases in which the courts of the United States and England have applied the principles of international law; nor did the syllabus contain references to the works of some of the distinguished Continental jurists. These limitations have been removed in the edition which has just been put forth by Dean Scott.

The original arrangement has, with a few modifications, been retained. Only one new section, that discussing the effect of a change of sovereignty on local law, has been added. Yet the book is greatly altered. Generally speaking, all the leading cases in the United States and England have been gathered together, and the collection has been brought down to date. In two respects Dean Scott has departed from Dr. Snow's scheme. He has omitted all head-

notes from the cases; and he has removed from the text proper all selections from treatises on international law. Some of these selections, with many others in addition, he has inserted in the footnotes, which are thus longer and more elaborate than those of the earlier book. The footnotes also contain numerous citations of decisions bearing on the cases in the text.

Dr. Snow's syllabus has been retained, though many of its headings have been rewritten. It has, however, been greatly amplified, and is now a valuable reference manual on international law. As a collection of most of the leading cases on the subject without headnotes, the book will be readily available for law school use; and, on account of the syllabus and the notes, it will be of considerable use to students of political science. The digest-index of the present edition is far superior to the index of the earlier work.

CYCLOPEDIA OF LAW AND PROCEDURE. Edited by William Mack and Howard P. Nash. Vol. V. New York: The American Law Book Company. London: Butterworth & Co. 1902. pp. 1118. 4to.

ANNUAL ANNOTATIONS TO CYCLOPEDIA OF LAW AND PROCEDURE, covering Vols. I.-IV. 1902.

The fifth volume of this carefully edited series, the first number of which appeared less than two years ago, covers topics ranging from "Bail" to "Build," inclusive. Among the more noteworthy articles contributed perhaps the most conspicuous is that on Bankruptcy, occupying about two hundred pages. It is the result of the joint labors of Mr. James W. Eaton and Mr. Frank B. Gilbert, the former of whom had already dealt with the subject in his well-known third edition of *Collier on Bankruptcy*. The article is peculiarly welcome at this time in that it includes in its treatment the law that has been formulated or developed under the National Bankruptcy Act of 1898 by the cases decided since its passage.

The volume is accompanied by a smaller book with flexible covers, which contains the first of the collections of "annual annotations," that are to be issued from year to year. This first collection covers the topics already treated in the four earlier volumes, and gathers in accessible form the modifications that were made in the law relating to those topics during the year preceding its publication. This method of giving the profession regularly and frequently the results of constant revision can hardly fail to meet with approbation.

A TREATISE ON THE LAW OF NEGOTIABLE INSTRUMENTS, including Bills of Exchange, Promissory Notes, Negotiable Bonds and Coupons, Checks, Bank Notes, Certificates of Deposit, Certificates of Stock, Bills of Credit, Bills of Lading, Guaranties, Letters of Credit, and Circular Notes. By John W. Daniel. Fifth edition. By John W. Daniel and Charles A. Douglass. New York: Baker, Voorhis & Company. 1903. 2 vols. pp. cliv, 933; x, 1004. 8vo.

GERMANY'S CLAIMS UPON GERMAN-AMERICANS IN GERMANY. A Discussion of German Military and other Laws which may affect German-Americans temporarily in Germany, together with some Comment upon existing Treaties. By Edward W. S. Tingle, formerly United States Consul, Brunswick, Germany. Philadelphia: T. & J. W. Johnson & Co. 1903. pp. xv, 121. 12mo.

THE LAW OF SURETYSHIP, covering Personal Suretyship, Commercial Guaranties, Suretyship as related to Negotiable Instruments, Bonds to secure Private Obligations, Official and Judicial Bonds, Surety Companies. By Arthur Adelbert Stearns. Cincinnati: The W. H. Anderson Co. 1903. pp. xvii, 747. 8vo.